

108TH CONGRESS
2D SESSION

H. R. 5035

To require the Secretary of Homeland Security to provide the same screening of all passengers and property that will be carried aboard a passenger aircraft operated in the United States by a person other than an air carrier as is provided for all passengers and property that are carried aboard a passenger aircraft operated by an air carrier, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2004

Mr. WEINER introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SCREENING FOR NONAIR-CARRIER AIRCRAFT.**

2 (a) IN GENERAL.—The Secretary of Homeland Secu-
 3 rity shall provide the same screening of all passengers and
 4 property that will be carried aboard a passenger aircraft
 5 operated in the United States by a person other than an
 6 air carrier (as defined in section 40102 of title 49, United
 7 States Code) as the screening that is provided for all pas-
 8 sengers and property that are carried aboard a passenger
 9 aircraft operated by an air carrier under section 44901
 10 of such title.

11 (b) DEADLINE FOR BEGINNING.—On the date of en-
 12 actment of this Act, the Secretary shall begin development
 13 of a plan, acquiring and training personnel, and acquiring
 14 equipment for providing the screening required by sub-
 15 section (a).

16 **SEC. 2. SPECIAL RULES REGARDING FLIGHTS OF NONAIR-**
 17 **CARRIER AIRCRAFT.**

18 (a) IN GENERAL.—The Secretary of Transportation
 19 shall take such action as may be necessary to ensure
 20 that—

21 (1) no aircraft described in section 1 flies—

22 (A) within 1,500 feet of any structure or
 23 building; or

24 (B) over a city with a population of
 25 1,000,000 or more or any other location the
 26 Secretary of Homeland Security determines ap-

1 appropriate, except on approach or departure to
2 an airport; and

3 (2) the pilot of a flight of any aircraft described
4 in section 1 remains in contact with the Federal
5 Aviation Administration regardless of the altitude of
6 such aircraft.

7 (b) EXCEPTIONS.—The Secretary shall except from
8 any requirement of subsection (a) an aircraft carrying out
9 such police, medical, or other operations as the Secretary
10 determines appropriate.

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